

WILLIAMSBURG PLANNING COMMISSION MINUTES

Wednesday, January 15, 2003

The regular monthly meeting of the Williamsburg Planning Commission was held on Wednesday, January 15, 2003, at 3:30 p.m. in the Council Chambers at the Stryker Building.

CALL TO ORDER and ATTENDANCE

Planning Director Nester called the annual organizational meeting to order. Present were Commissioners Freiling, Hertzler, Young, Friend, McBeth, and Pons. Commissioner Smith was absent. Also present were Planning Director Nester, City Attorney Phillips, Zoning Administrator Murphy and Secretary Scott.

ELECTION OF OFFICERS

Planning Director Nester presided over the election of the 2003 officers by opening the floor for nominations.

Mr. Freiling was nominated for Chairman, Mr. Friend for 1st Vice Chairman, and Mr. Young for 2nd Vice Chairman. All three of the nominations were seconded, and there being no additional nominations, the floor was closed.

The above-noted slate of officers was elected by roll call vote of 6-0, except when nominated, the candidate abstained from voting.

Ms. Scott was elected secretary by roll call vote of 6-0.

Mr. Freiling welcomed new Commission members Elaine McBeth and Douglas Pons.

Chairman Freiling read the following Resolution for past Commission member and Chairman, Marguerite Davis.

RESOLUTION

WHEREAS, Marguerite Davis was appointed to the Williamsburg Planning Commission on January 1, 1995, and has served with distinction for eight years, her tenure ending on December 31, 2002;

WHEREAS, she served as Second Vice Chairman for one year, First Vice Chairman for three years, and presided as Chairman of the Commission for her last year; and

WHEREAS, she participated in the preparation of the 1998 Comprehensive Plan, which was recommended for approval by the Planning Commission in November, 1997 after an extensive review process, and which was adopted by City Council in July, 1998; and

WHEREAS, she provided leadership, expertise and guidance to the Commission and the City in the revision of the Zoning Ordinance based on the recommendations of the 1998 Comprehensive Plan, which required 14 separate zoning amendment proposals in 1998 and 1999; and

WHEREAS, she served as the Planning Commission's representative on the Architectural Review Board for six years, making a valuable contribution to both the Architectural Review Board and the Planning Commission through her life-long knowledge of the City and her interest in preserving its unique character and pedestrian environment.

NOW, THEREFORE, BE IT RESOLVED that the Williamsburg Planning Commission hereby records its appreciation to Marguerite Davis for her outstanding service on the Commission as both member and Chairman.

The Commission unanimously approved the resolution.

MINUTES

Mr. Young moved that the minutes of the November 20, 2002 regular meeting be approved as submitted. The motion carried by roll call vote of 4-0; new members of the Commission declined a vote since they were not present at the November meeting.

CONSENT AGENDA

There were no cases on the consent agenda this month.

PUBLIC HEARINGS

CIP: Five-Year Capital Improvement Program (FY04 to FY08). Citizens are requested to present items for inclusion in the Capital Improvement Program.

Mr. Nester presented a draft of the Five-Year Capital Improvement Program and noted that citizen and Commission comments will be transmitted to the City Manager and City Council. He added that the Commission will hold a work session later this month to discuss the CIP.

Chairman Freiling opened the public hearing.

Nanci Bond, 416 Suri Drive, stated that she has a list of requests for inclusion in the update of the CIP, however due to her computer being down, she will need to submit the list to planning staff later. She noted that she strongly believes in walking and the activity should be made safe and convenient for citizens, tourists, and students. Her list includes sidewalks, crosswalks, and pedestrian-activated crossing signals to encourage safe walking in the City.

Darr Barshis, 17 Forest Hill Drive, said this is the second consecutive year he has requested a sewer lift station for the Forest Hill and Woods Drive communities. He reported that his neighbors have spent hundreds of dollars on repairs due to the lack of a lift station. He submitted a written request signed by nine of his neighbors for consideration.

There being no additional comment the public hearing was closed.

PCR #03-02: Amendment of Chapter 21, Zoning, Article I, Sec. 21-2, Definitions and Article VIII, Chesapeake Bay Preservation. Changes are proposed to the City's Chesapeake Bay Preservation regulations to bring them into compliance with the latest revisions to the State regulations. The Commission recommended approval by a vote of 6-0.

Mr. Nester presented the updated Chesapeake Bay Preservation regulations noting they have been revised to bring them in line with state regulations. He said the state requires they be in effect by March 2003 and in addition to himself, the Zoning Administrator, City Attorney, and Local Assistance Board have approved the regulations.

Chairman Freiling opened the public hearing.

There being no comment the public hearing was closed.

Mr. Freiling stated that it is curious that the state mandates these changes but then we must actually vote on them.

Mr. Young moved that the Planning Commission recommend to City Council that Article VIII, Chesapeake Bay Preservation, of the Zoning Ordinance be revised in accordance with state mandated requirements.

Mr. Hertzler seconded the motion, which carried by roll call vote of 6-0.

Recorded vote on the motion:

Aye:	Young, Freiling, Hertzler, Friend, McBeth, Pons
No:	None
Absent:	Smith

PCR #03-03: Amendment of Chapter 21, Zoning, Article III, District Regulations, Sec. 21-123, Official Zoning Map. It is proposed to replace the City's Official Zoning Maps with new maps based on the City's electronic mapping system. The zoning designations of individual properties will not be changed. The Commission recommended to City Council that Sec. 21-123 of the Zoning Ordinance be amended to adopt the three new official zoning maps by a vote of 6-0.

Mr. Nester presented the three revised "Official Zoning Maps" and noted that the current set of maps were adopted with the complete revision of the Zoning Ordinance in October, 1991. The revised maps are more accurate, up to date and produced on the AutoCAD mapping system. He stated that zoning administrator Murphy has spent innumerable hours working on the new mapping system, basically teaching herself the operation. The "Official Zoning Map" consists of a set of three maps: Sheet 1 is the Zoning Districts, Sheet 2 is the Architectural and Archaeological Review Districts, and Sheet 3 is the Chesapeake Bay Preservation Districts. Adoption of the "Official Zoning Maps" requires an amendment to the Zoning Ordinance.

Chairman Freiling opened the public hearing.

There being no comment the public hearing was closed.

Mr. Friend moved that the Planning Commission recommend to City Council that Sec. 21-123 of the Zoning Ordinance be amended to adopt the three new official zoning maps.

Mr. Young seconded the motion, which carried by roll call vote of 6-0.

Recorded vote on the motion:

Aye:	Young, Freiling, Hertzler, Friend, McBeth, Pons
No:	None
Absent:	Smith

OPEN FORUM

Chairman Freiling opened the Open Forum portion of the meeting encouraging comments from the audience on any topic.

There being no comment the Open Forum portion of the meeting was closed.

SITE PLANS AND SUBDIVISIONS

PCR #03-01: Request of Condor Properties at Williamsburg, L.L.C. to modify the approved plans for Brandywyne at Williamsburg, located on the east side of Capitol Landing Road at the Merrimac Trail intersection. The changes include: modifying lots 36>47 and 49>51 to create deeper rear yards; modifying the configuration of lots 53>56; modifying lots 57>60 by moving the private driveway to the west side of the lots and adjacent to the lot at 1000 Capitol Landing Road; eliminating lot 61; and eliminating the proposed overlook between lots 41 and 42. These are considered minor changes to the approved Brandywyne plans. The Commission approved the request by a vote of 6-0.

Mr. Nester presented the modifications of the approved plans and noted that the Zoning Ordinance allows minor changes to an approved development plan to be approved by the Planning Director, or, at the option of the Planning Director, referred to Planning Commission for consideration at a regular meeting without a public hearing. Mr. Nester stated that there were a number of letters from Brandywyne residents requesting a public hearing, but in this case the Planning Director has determined that the proposed changes meet the criteria for a minor change and he has elected to refer the proposal to the Commission. He added that the general character of the development is not changed.

Although not a public hearing, all property owners in Brandywyne, as well as adjoining property owners, have been notified of the Commission's consideration, and it has been the Commission's practice to allow interested parties to address the Commission prior to making a decision. Paula Hertzberg, developer of the subdivision and Howard Price, engineer for the project are present for questions.

Mr. Nester concluded his comments by saying that the Site Plan Review committee reviewed the proposal and recommends approval of the subdivision development plan with contingencies, incorporating the revisions.

Chairman Freiling asked for comments from the audience.

Nanci Bond, 416 Suri Drive, stated that she and her husband Robert are happy residents at Brandywyne. Previously they had questions and concerns, but after meeting recently with Mr. Nester their concerns have been assuaged.

Commissioner Hertzler said that he had anticipated more opposition, but there seems to be none. Mr. Young stated that the minor changes appear to be an improvement, and moved that the Planning Commission approve the proposed modifications to lots 36 to 60 of Brandywyne at Williamsburg as a minor change to the approved development plan, contingent upon final engineering details being approved by City staff.

Mr. Hertzler seconded the motion, which carried by roll call vote of 6-0.

Williamsburg Planning Commission Minutes
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Recorded vote on the motion:

Aye:	Young, Freiling, Hertzler, Friend, McBeth, Pons
No:	None
Absent:	Smith

OLD BUSINESS - none

NEW BUSINESS - none

OTHER

Appointment to Planning Commission Committees

Chairman Freiling announced that the following members will represent the Commission on the noted committees:

Beautification Advisory Committee	Mrs. Smith
Regional Issues Committee	Mr. Young
Site Plan Review Committee	Mr. Friend, Mr. Hertzler and Mrs. McBeth

The Commission agreed to recommend Mr. Pons to City Council to serve as the Commission's representative on the Architectural Review Board.

Schedule Work Session

A work session was scheduled for new member orientation/CIP review for Wednesday, January 29, 9:00 a.m. The meeting will be held in the third floor conference room in the municipal building.

INFORMATION ITEMS

- Report from City Council
- Planning Department Monthly Report
- Monthly Financial Statement
- 2002 Annual Reports for Planning Commission, Architectural Review Board and Board of Zoning Appeals
- 2002 Citizen Survey Results

PUBLIC HEARINGS SCHEDULED FOR FEBRUARY 19, 2003

PCR #03-04: Request of Dewdropinn, L.C., for a special use permit for an automobile dealership for sale and servicing of new and used automobiles and/or vehicles at 3000, 3012 and 3016 Richmond Road (between Williamsburg Motor Court and East Coast Gas Station). It is proposed to relocate and expand Williamsburg Chrysler-Jeep-Kia on this site, which is zoned B-2

Tourist Business District. This property is also identified as Williamsburg Tax Map Nos. 282-06-00-B, 312-0A-00-001 and 001A.

PCR #03-05: Amendment of Chapter 21, Zoning, of the Williamsburg City Code, Sections 21-741(1)a.1, (1)b.1, and (1)c.1, pertaining to sign regulations for freestanding and monument signs in the corridor sign district. One additional freestanding or monument sign would be allowed for a single business on a single lot when the lot has 250 feet of property frontage for each sign, and is located on a street designated by the comprehensive plan as a major secondary arterial. For more than two businesses in the same building or on the same lot, the frontage required for each freestanding or monument sign would be increased from 200 to 250 feet. For shopping centers, up to three freestanding or monument signs would be allowed each frontage on a street designated by the comprehensive plan as a major or secondary arterial, provided that there is 250 feet of frontage for each sign (one sign for each frontage is now allowed). In all cases, a 100-foot separation between signs would be required. The maximum size for freestanding or monument signs would remain 32 sq.ft.

Paul Freiling, Chairman
Williamsburg Planning Commission